



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/382,375	08/24/1999	JEFFRY JOVAN PHILYAW	PHLY-24.745	5136

25883 7590 11/15/2002

HOWISON, THOMA & ARNOTT, L.L.P.
P.O. BOX 741715
DALLAS, TX 75374-1715

EXAMINER

NGUYEN, HAI V

ART UNIT	PAPER NUMBER
----------	--------------

2142

DATE MAILED: 11/15/2002

12

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/382,375

Applicant(s)

PHILYAW ET AL.

Examiner

Hai V. Nguyen

Art Unit

2142

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 September 2002.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

1. This Action is in response to the communication received on 12 September 2002.
2. Claims 1-8 are presented for examination.
3. Claim 8 is new one.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102(e) that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

2. Claims 1-8 are rejected under 35 U.S.C. 102(e) as being anticipated by **Hudetz et al.** US patent no. **6,199,048 B1**.

3. As to claim 1, Hudetz teaches the invention as claimed, including a method for providing an interconnection relationship between a product and a desired location (a desired resource) on a global communications network (Fig. 1, internet 20), comprising the steps of

disposing a machine readable product code on the product (Abstract, col. 3, lines 24-37, swiping a bar code reader over the UPC symbol), the machine readable product code having encoded product information contained therein, the product code having no

Art Unit: 2142

routing information embedded therein which would allow the product code, in and of itself, to cause routing to the desired location over any path on the network (col. 3, 38-67; col. 4, lines 1-31; col. 8, lines 11-67; col. 9, lines 1-67; col. 10, lines 1-3);

reading the machine readable code (col. 10, lines 58-67; col. 11, lines 1-67; col. 12, lines 1-23);

in response to the step of reading the machine readable product code, and without user intervention, decoding the product code (col. 9, line 55 - col. 12, line 23); and

converting the decoded product code to routing information over the network to the desired location, which routing information defines the manner by which a user or a computer at a user location wherein the machine readable code was read can communicate with the desired location via an interconnection therewith (col. 10, lines 58-67; col. 11, lines 1-67; col. 12, lines 1-23).

4. As to claim 2, Hudetz teaches the product code comprises a UPC (Abstract, col. 6, lines 7-45).

5. As to claim 3, Hudetz teaches the product code comprises an ISBN (Abstract, col. 6, lines 7-45).

6. As to claim 3, Hudetz teaches the product code comprises an EAN (Abstract, col. 6, lines 7-45).

7. As to claim 4, Hudetz teaches the routing information comprises a universal resource locator (URL) that comprises a unique locator on the network to the desired location (col. 5, lines 55-67; col. 6, lines 1-6).

Art Unit: 2142

8. As to claim 6, Hudetz teaches wherein the step of converting comprises:

providing a database (Fig. 1, item 60) having stored therein an associative table which relates a plurality of product codes with associated locations on the network, each of the product codes having routing information to that associated location associated therewith (col. 7, lines 1-67; col. 8, lines 1-10); and

comparing the decoded information of the product code with the table in the database to determine the routing information (Fig. 4; col. 7, lines 1-67; col. 8, lines 1-10).

9. As to claim 7, Hudetz teaches the database is not disposed at the user's location and is disposed at a remote location on the network, requiring a further step of transmitting the decoded information from the product code to the remote location for comparison therewith and, after determining if there is a match and outputting the associated routing information therefrom, transmitting this routed information back to the user's location (Fig. 5, col. 8, lines 12-67; col. 9, lines 1-20).

10. As to claim 8, Hudetz teaches the step of reading comprises scanning of the machine readable code (Fig. 8, item 236) with a bar code scanner (Fig. 8, item 220) and wherein the machine readable code comprises a bar code (Fig. 8, item 236).

Response to Arguments

11. Applicant's request for reconsideration as well as arguments filed on 12 September 2002 have been fully considered but they are not deemed fully persuasive.

12. In the remark, Applicant argued in substance that

(A) Prior art does not teach "in response to the step of reading the machine readable product code, and without user intervention, decode the product code" in claim 1.

As to point (A), Hudetz discloses "Alternatively, instead of displaying query results at step 90 (of FIG. 5), browser software in local host can automatically load the retrieved URL and point the user to the site corresponding to the URL. An additional field in database 60 can provide a code indicating whether this feature should be enabled or disabled for a particular URL (col. 9, line 55 - col. 10, line 3).

Conclusion

13. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

14. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hai V. Nguyen whose telephone number is 703-306-0276. The examiner can normally be reached on 7:00-3:30 Mon-Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mark Rinehart can be reached on 703-305-4815. The fax phone numbers for the organization where this application or proceeding is assigned are 703-746-7239. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3230.

Art Unit: 2142

Any response to this final action should be mailed to:

Box AF

Commissioner of Patents and Trademarks

Washington, D.C. 20131

or faxed to:

(703) 746-7239, (for **formal communications**; please mark
"EXPEDITE PROCEDURE").

or:

(703) 746-7240 (for **informal or draft communications**, please
label "PROPOSED " or "DRAFT").

Or:

(703) 746-7238 (for After Final communications).

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal
Drive, Arlington, VA., Sixth Floor (Receptionist).

KENNETH R. COULTER
PRIMARY EXAMINER



Hai V. Nguyen
Examiner
Art Unit 2142

